IN THE HIGH COURT OF BOMBAY AT GOA.

WRIT PETITION NO. 319 OF 2003.

Mr. Rogalciano Milagres
Fernandes, r/o Grande de
Palmar (Deao), Quepem. ... Petitioner.

Versus

1. The Assistant Labour
   Commissioner (Central),
   having office at Municipal
   Building, Vasco-da-Gama.
2. The Labour Enforcement
   Officer (Central),
   Municipal Building, Vasco-
   da-Gama.
3. The Regional Labour
   Commissioner (Central),
   Ministry of Labour,
   Shram Raksha Bhavan,
   Mumbai.
4. Union of India through
   The Secretary, Ministry
   of Labour, New Delhi. ... Respondents.

Mr. V.A. Lawande, Advocate for the Petitioner.

Mr. J.S. Vaz, Additional Central Government Standing Counsel for the Respondents.

Coram : F.I. REBELLO AND
P.V. HARDAS, JJ.

Date : 23rd July 2003.

ORAL JUDGMENT (PER REBELLO, J.)

Rule. The respondents have produced before this Court a letter, dated 22nd July 2003, recording therein that the payment would be made within 15 days. The said communication is taken on record.

2. The Provident Fund, Gratuity and Group Insurance dues are yet to be paid. The petitioner was allowed to voluntary retire by Order, dated 18th October

2001, pursuant to his application, dated 17th October 2001. The petitioner had earlier come to this Court in Writ Petition No. 412 of 2002, which was disposed of on 3rd February 2003.

3. Considering the above, it will not be possible to direct the respondents to pay any interest on the pension amount. However, insofar as Provident Fund and Gratuity are concerned, those amounts are in the hands of the respondents and the respondents have discretion to grant interest in terms of the Rules. Petitioner, therefore, should be paid interest on the said amounts of Provident Fund and Gratuity. Rule accordingly. In the circumstances of the case, there shall be no order as to costs.

(F.I. REBELLO)
JUDGE.

(P.V. HARDAS)
JUDGE.

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